

REMARKS

Claims 1-20 are currently pending in the subject application and are presently under consideration. Applicants traverse the rejections as follows. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein.

I. Rejection of Claims 1 and 11 Under 35 U.S.C. §103(a)

Claims 1 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Duarte et al. (US 2003/0030670) in view of McCarty (US 2004/0143633). It was alleged that Duarte et al. teaches all of the features of Applicants' claimed subject matter, but that Duarte et al. fails to teach providing an indication to an instant messaging device that a first and second user are logged in together at a multi-user computer. It was further alleged that McCarty teaches this feature and that it would have been obvious for one skilled in the art to combine the teachings of both references to arrive at Applicants' claimed subject matter. Applicants do not believe that the combination of references teach each and every element of Applicants' claimed subject matter.

It was alleged that Duarte et al. teaches "**receiving first login information from a first user of the multi-user computer by an instant messaging system**" and "**receiving second login information from a second user of the multi-user computer by the instant messaging system while the first user is logged in**" in paragraphs 0009-0020 and paragraph 0028. Applicants cannot find anything in the cited paragraphs, or anywhere in Duarte et al. for that matter, that teaches or suggests the quoted features from Applicants' claimed subject matter, as shown above. The cited paragraphs of Duarte et al. teach a system and method for displaying multiple, concurrent instant messaging sessions on a single user interface. For example, Figure 3 illustrates such a user interface displaying an active messaging window and three indicators which represent three other active instant messaging sessions with three other individuals. However, there is no teaching or suggestion that two different users are logged onto the instant messaging system **through a single, multi-user computer**. Each user in the Duarte system is presumably logged onto the instant messaging system through their own computer or instant messaging device. There is simply no teaching or suggestion that two users are logged onto the instant messaging system through a single computer or instant messaging device. For this reason alone, the rejections to claims 1 and 11 should be withdrawn.

Applicants further believe that the rejection should be withdrawn because McCarty et al. fails to teach providing an indication to an instant messaging device specifying that first and second users are logged in together at a multi-user computer. It was alleged that McCarty et al. teaches this feature in paragraphs 0055 and 0070.

McCarty et al. teaches an instant message system using “privacy policies” for accepting and delivering instant messages. Paragraph 0055 describes managing these policies through a single client device:

“Multiple policies or multiple sets of policies may be managed at a single client device if the client device is used by multiple unique users or if the client device is used by a single user with reference to multiple user identities.”

(*McCarty et al., paragraph 0055, lines 5-9*)

Nowhere in paragraph 0055 is it taught or suggested that an indication is sent to an instant messaging device specifying that first and second users are logged into the instant messaging system through a single client device. Paragraph 0055 simply describes managing (i.e., creating, reviewing, editing, adding, deleting, etc) the privacy policies associated with each user of the instant messaging system.

Paragraph 0070 simply describes part of a process used in conjunction with the privacy policies taught by McCarty et al. Specifically, paragraph 0070 describes a step in the process where it is determined whether or not the privacy policy is active or not. There is absolutely no teaching or suggestion of sending an indication to a client device specifying that two users are logged into the instant messaging system at a single client device. The rejection to claims 1 and 11 should be withdrawn on this ground as well.

II. Rejection of Claims 2 and 20 Under 35 U.S.C. §103(a)

Claims 2 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Duarte et al. (US 2003/0030670) in view of McCarty (US 2004/0143633) as applied to claims 1 and 11 above, and further in view of Szeto et al. (US 2003/0140103). Claims 2 and 20 depend on claims 1 and 11, respectively. Applicants believe that claims 2 and 20 are allowable as being dependent upon allowable claims, namely claims 1 and 11, as argued above.

III. Rejection of Claims 3-10 and 12-19 Under 35 U.S.C. §103(a)

Claims 3-10 and 12-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Duarte et al. (US 2003/0030670) in view of McCarty (US 2004/0143633) as applied to claims 1 and 11 above, and further in view of Thomas (EP 1 241 890). Claims 3-10 and 12-19 depend on claims 1 and 11, respectively. Applicants believe that claims 3-10 and 12-19 are allowable as being dependent upon allowable claims, namely claims 1 and 11, as argued above.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP666US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,
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